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JA 4027

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| | : | UNITED STATES BANKRUPTCY COURT |
| | : | FOR THE DISTRICT OF NEW JERSEY |
| IN RE: | : | |
| | : | CHAPTER 13 |
| Lucille Limone | : | CASE NO. 09-34274-MS |
| | : | |
| DEBTOR | : | OBJECTION TO MODIFIED PLAN |
| | : | Confirmation Hrg: 04/15/2010 @ 9:00am |

The undersigned, ZUCKER, GOLDBERG & ACKERMAN, LLC, attorneys for Secured Creditor, GMAC Mortgage, LLC, the holder of a First Mortgage on the debtor's premises at 29 REDWOOD AVENUE, WAYNE, NJ 07470 , in addition to the objections set forth in its original Notice of Objection, the Secured Creditor further objects to the provision in the Chapter 13 plan that fixes the monthly mortgage payment outside the plan. The normal servicing of the debtor's loan will call for the post-petition mortgage payment to be adjusted. The debtor's plan makes no provision for this adjustment in violation of 11 U.S.C. 1322 (b) (2) .

The Secured Creditor holds a first mortgage on the Debtor's property located at 29 Redwood Avenue, Wayne, NJ 07470 and the "cramdown" impermissibly attempts to modify the Secured Creditor's claim in violation of 11 U.S.C. 1322 (b) (2).

The Secured Creditor has a first mortgage on the subject property and its claim cannot be bifurcated pursuant to 11 U.S.C. 1322 (b) (2).

The Debtor's represented in their loan application (Exhibit A) that their principal place of residence is 29 Redwood Avenue, Wayne, NJ 07470. Further, the note (Exhibit B) and mortgage (Exhibit C) are on 29 Redwood Avenue, Wayne, NJ 07470, the Debtor's principal place of residence. The Debtor's attempt(s) to modify the terms of the mortgage are in contradiction of 11 U.S.C. 1322 (b)(2), which states that the debtor must pay the full amount of the loan.

ZUCKER, GOLDBERG & ACKERMAN
Attorneys for Secured Creditor
GMAC Mortgage, LLC

/s/ JOEL A. ACKERMAN
JOEL A. ACKERMAN
MEMBER OF THE FIRM

DATED: April 8, 2010

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| <p>THIS IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.</p> |
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